

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.2358 OF 2005

Laxman N Dudani ... Petitioner

V/s.

Smt.Correl Pereira ... Respondent

Mr.A.R. Mishra for Petitioner
Mr.P.S. Dani for Respondent

CORAM: **SMT.NISHITA MHATRE, J.**

DATED: **JULY 13, 2005**

P.C.:

. The findings of the Competent Authority appointed under the Rent Control Act as well as the Revisional Authority are challenged in this petition. Both the authorities below have concluded that there has been a default in payment of the licence fee on the part of the licensee, the petitioner herein. The Petitioner claims that the amount of Rs.24,000/- was paid to the respondent in cash and, therefore, he is not in default. The receipt of this amount has been denied by the respondent. The Petitioner has no receipt in respect of this amount. The authorities below have considered all the necessary factors and, therefore, I see no reason to interfere with the impugned order. Petition dismissed.

2. Mr.Mishra seeks a stay of execution of the decree for a period of four weeks. The decree is stayed for four weeks on condition that the Petitioner files an affidavit in this Court within one week from today stating that he is still in possession of the premises and will not induct any third person in the suit premises.